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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/258,407	02/26/1999	RAMZI CHEAITO	028579-0102	3845

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EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 04/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/258,407

Applicant(s)

CHEAITO ET AL.

Examiner

Simon Sing

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☒ Claim(s) 23-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 1 recites the limitation "the subscriber telephonic unit" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Objections***

3. Claims 23-25 are objected to because of the following informalities: Claims 23-25 wrongly depend on claim 18. They should depend of claim 22. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-3, 14-18, 28 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Gurbani et al. US Patent 6,282,275.

Regarding claim 1, Gurbani discloses a telephone caller identification log with Internet access in figure 1. As shown in figure 1, a subscriber telephone 104 is connected to a telephone network PSTN 110. A caller ID server 124 [data logging unit] receives and stores caller identification information (column 2, lines 59-63; column 3, lines 4-8). The caller ID server 124 is connected to an Internet protocol network, allowing the subscriber to access caller identification information via Internet. Gurbani further discloses that a caller 102 may be connected to switched telephone network PSTN 110, via other switched telephone networks, such as an ISDN service, a wireless service, etc. (column 2, lines 38-41). Gurbani teaches that the PSTN contains a local switch (column 2, lines 42-44). Caller ID server 124, STP114 and SCP 122 are inherently in the subscriber's local switched telephone network.

Regarding claim 2, Gurbani discloses that a caller 102 and called party 104 are both connected to the switched telephone network PSTN 110 (figure 1, and column 2, lines 35-38).

Regarding claim 3, as discussed in claim 1, caller 102 is connected to subscriber 104 via other networking service, and inherently, there is a line connecting the subscriber's switched telephone network and the caller's switched telephone network for pass both audio signal and caller identification information.

Regarding claim 14, the Gurbani teaches that a subscriber can access the caller identification information via a computer connected to Internet protocol server 126, which is an Internet service provider (column 3, lines 28-33). Inherently, an Internet provider is connected to the Internet.

Regarding claims 15 and 16, Gurbani teaches that a subscriber can access the caller identification information via a computer connected to Internet protocol server 126, which is an Internet service provider (column 3, lines 28-33). The subscriber inputs a user ID and a password in order to gain access to his database (column 3, lines 37-43).

Regarding claim 17, Gurbani discloses a telephone caller identification log with Internet access in figure 1. Gurbani teaches that a subscriber can access the caller identification information via a computer connected to Internet protocol server 126 (column 3, lines 28-33). The subscriber inputs a user ID and a password in order to gain access to his database (column 3, lines 37-43).

Regarding claim 18, Gurbani teaches using a caller ID server 124 to receive and store caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani further teaches that the PSTN 110 contains a local switch (column 2, lines 42-

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44). Caller ID server 124, STP114 and SCP 122 are inherently in the subscriber's local switched telephone network.

Regarding claims 28 and 30, Gurbanie discloses a telephone caller identification log with Internet access in figure 1. Gurbani also discloses a caller IDs server 124 for receiving and storing caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani teaches using a computer to remotely access caller identification information via the Internet (column 3 lines 19-30). Gurbani further teaches using Internet telephony hardware and software to call back a caller by selecting and activating the number in the record (column 4, lines 7-16).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-12, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani in view of Valentine US Patent 5,898,770.

Regarding claim 4, Gurbani teaches using a caller ID server 124 in the called party's local switched telephone network to receive and store caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani further teaches that a caller 102 may be connected to a different switched telephone network, and then connected to PSTN via a POP service, an ISDN service, a wireless service, etc.

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(column 2, lines 38-41). Gurbani fails to teach that the connection can be a common channel signaling system no.7 (CCSS7) trunk. However, Valentine discloses a caller ID unit CLD 100 in figure 1, and teaches that the connection between caller's switched telephone network 14 and a called party's switched telephone network can be any routing network, including SS7 (column 3, lines 39-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani reference with Valentine's teaching so that the interconnection would have included a SS7 trunk, because such modification is well within the teaching of Gurbani, since using either a wireless network or a SS7 trunk would have made no difference to caller ID server 124 to receive and store caller identification information.

Regarding claims 5 and 19, Gurbani teaches using a caller ID server 124 in the called party's local switched telephone network to receive and store caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani teaches that the caller ID server 124 is local to a SCP, but fails to teach that it is local to a service signal point (SSP) of the subscriber switched telephone network. However, Valentine teaches that the caller ID 180, which is located in SCP 172 in figure 3, can also be located in a local switched telephone network as shown in figure 1, Valentine further discloses that SSP 154, which is connected to SCP 172, is in a local switch telephone network as shown in figure 3. Accordingly, SCP 172 and SSP 154 are in the same local switched telephone network, and are local to each other. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani reference with Valentine's teaching so that the caller ID server 124 would have been

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local to a SSP, because putting the ID server 124 to be local to a SCP or to a SSP was just a design choice and would have made no difference to the functionalities of the caller ID server 124.

Regarding claim 6, the Gurbani reference, modified by Valentine, teaches using a caller ID server 124, connected to a SCP to receive and store caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani fails to teach that the caller ID server 124 is connected to an intelligent peripheral. However, Valentine discloses a caller ID store 108 located in SCP 172, which is connected to an IP. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Gurbani reference with Valentine's teaching so that the caller ID server 124 would have connected to an IP, and by inherency would have had a line peripheral for interconnection, because such modification is well within the teaching of Gurbani, since connecting the ID server 124 to a SCP or an IP was just a design choice and would have made no difference to the functionality of the caller ID server 124.

Regarding claims 7 and 8, in the Gurbani reference, modified by Valentine, the caller ID server 124 inherently has a gateway for connecting to the Internet for communicating with a user (column 3, lines 39-43).

Regarding claims 9 and 20, Gurbani teaches using a caller ID server 124 to receive and store caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani teaches that the caller ID server 124 is local to a SCP, but fails to teach that it is located inside the SCP. However, Valentine discloses a caller ID store 108



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located in SCP 172 in figure 3. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani reference with Valentine's teaching so that the caller ID server 124 would have been inside a SCP, because such modification is well within the teaching of Gurbani, since putting the ID server 124 to be local or inside a SCP was just a design choice and would have made no difference to the functionality of the caller ID server 124.

Regarding claim 10, the Gurbani reference, modified by Valentine, shows the caller ID server 124 is connected to an Internet protocol server 126 in figure 1, and inherently the caller ID server 124 has a gateway connected to Internet. Data or caller identification information is accessible through the gateway.

Regarding claim 11, the Gurbani reference, modified by Valentine, the caller ID server 124 inherently has a database since it can be connected to more than just one telephone lines, and it comprises a storage medium storing the caller identification information (column 2, lines 59-63; column 3, lines 4-8).

Regarding claim 12, as discussed in claim 11, the caller ID server inherently has a storage medium as Gurbani states in column 2, lines 61-63, that the caller identification information is stored in an area of server 124 associated with called telephone station.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani et al. in view of Rogers et al. US Patent 5,946,386.

Gurbanie discloses a telephone caller identification log with Internet access in figure 1. Gurbani also discloses a caller IDs server 124 for receiving and storing caller identification information (column 2, lines 59-63; column 3, lines 4-8). Gurbani teaches using a computer to remotely access caller identification information (column 3 lines 19-30), but fails to teach using a remote telephone to access such information. However, Rogers discloses a call management system in figure 1. Rogers teaches using a user-accessible call log to store call related information (column 42, lines 11-13 and 24-26), including caller IDs, as shown in figure 9. Rogers further teaches retrieving voice mail, fax messages or data files from a remote telephone (column 43, lines 29-29-32). The data files, in this case, the call log is read to the user using text to speech conversion (column 44, lines 13-14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani reference with Rogers' teaching so that caller ID server 124 would have been configured to accept a remote telephone call, and would have read the caller ID file to the user by using text to speech conversion, because such a modification would have enabled a user to access the caller identification information when Internet access was not available.

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani et al.

Regarding claim 21, Gurbanie discloses a telephone caller identification log with Internet access in figure 1. Although Gurbani fails to specifically teach prompting the subscriber with a greeting message once the subscriber logged in. However, it was well

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known in the art that Internet information providers, such as banks, stock brokerage firms and shopping sites would have prompted a user with greeting messages to alert or welcome the user to their web sites. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a greeting message to notify a subscriber for reaching its caller identification web site, because such a modification would have been just a design choice and well within the teaching of Gurbani.

11. Claims 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani et al. in view of Kenyon US Patent 6,370,542.

Regarding claim 22-25, Gurbani discloses a telephone caller identification log with Internet access in figure 1. Gurbani fails to teach using a menu of commands allowing a user to choose to review or edit the caller identification information. However, Kenyon discloses knowledge acquisition system in figure 1. Kenyon's system includes a data network 14 such as Internet, a server 16 for connecting users 12 through the Internet to a database 20. Kenyon further teaches that various pull-down menus and designated areas are provided in the display for the entry and editing of information stored in the database (column 2, lines 58-61), and editing includes 'save' and 'delete' (figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani reference with Kenyon's teaching so that caller ID server 124 would have been configured to prompt a subscriber with various menus, because such a modification would have been well within the teaching

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of Gurbani since a web browser with its associated software would have such functionalities already, and would have made Gurbani's system more user friendly.

Regarding claim 26, the Gurbani reference, modified by Kenyon, the caller identification server 124 inherently has a hard disk for storing saved caller identification information.

12. Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani et al. US Patent 6,282,275 in view of Greco US Patent 5,568,540.

Gurbani discloses a telephone caller identification log with Internet access in figure 1. Gurbani also discloses a caller IDs server 124 for receiving and storing caller identification information via the Internet (column 2, lines 59-63; column 3, lines 4-8). Gurbani teaches using a computer to remotely access caller identification information (column 3 lines 19-30), Gurbani further teaches using Internet telephony hardware and software to call back a caller via the Internet (column 4, lines 7-16). Gurbani fails to teach identifying whether a caller has left a voice mail message to a subscriber, and retrieving the voice message over the Internet. However, Greco discloses a multi-media messaging system in figure 1. Greco teaches retrieving a voice mail message from server 38 over a local area network by clicking on the open button 190 (figure 2) after highlighting the message (column 5 lines 2-8), and the message can be listened to on the computer (column 5, lines 31-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani reference with Greco's teaching so that caller ID server 124 would have been

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configured to be a voice mail server as well so that a caller could leave a voice message if the subscriber was not available at the time of the call, and the subscriber would have been able to retrieve the voice mail messages over the Internet. Because such modification would have enabled a subscriber to screen and listen to his voice mail over the Internet while he was away from home.

***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



SS

04/12/2002

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600



**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**

**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.